



COLORADO

Department of
Regulatory Agencies

Division of Insurance

Colorado Option Advisory Board Meeting Minutes

February 28, 2024, 3:30 - 5:30 PM

Adam Fox called the meeting to order at 3:35 P.M.

Those in attendance were:

- Present (5): Adam Fox, Dr. Reginald Washington, Chris Zivalich, Jennifer Fanning, Amanda Massey,
- Absent (5): Bianey Bermudez, Valerie Larson, Kevin Stansbury, Andy Jacobs, Dr. Qaiser Khan

Others present from the Division of Insurance (DOI) included Sara Bencic, Tara Smith, Kate Davidson, and Maddie Davis. Angela Little attended from the Attorney General's Office.

December Meeting Minutes: Approval of the December Advisory Board meeting minutes was postponed due to lack of a quorum.

Program Implementation Updates:

Presented by Colorado Option Director Sara Bencic.

- **Colorado Option Regulations.** Amended Regulation 4-2-80, Emergency Regulation 24-E-02, Emergency Regulation 24-E-03 are adopted. Draft Proposed Amended Regulations 4-2-81 and 4-2-85 were released for external review. The rulemaking hearing for Amended Regulations 4-2-81 and 4-2-85 is upcoming.
- **Colorado Option Bulletins.** Amended Bulletin B-4.127 was released for external review. Adoption is delayed due to an unforeseeable delay caused by a data issue.
- **Rates & Plan Enrollment.** Plan Year 2024 Open Enrollment concluded on 1/15/24.
- **Premium Rate Reduction Hearings.** Carriers will submit PY25 Colorado Option Premium Rate Reduction filings on 3/1/24. The DOI will then review carrier filings for compliance.
- **Workforce Trends Reports.** DIRA is compiling survey and focus group data.
- **1332 Waiver Administration.** The DOI is continuing to work with CMS on 2024 passthrough.

Advisory Board Discussion/Items for Follow-Up:

- Chris Zivalich asked if a lot of hospitals fall into a low cost category.



COLORADO

Department of
Regulatory Agencies

Division of Insurance

- Sara Bencic responded that she does not have that number at the moment but that she believes it is not a huge category of the hospitals. This will be determined by upcoming statewide median calculation.

Plan Year 2024 Enrollment Data

Sara Bencic presented an overview of the Plan Year 2024 enrollment data.

Advisory Board Discussion/Items for Follow-Up:

- Dr. Washington asked if the DOI has any data on patients who could not find a practitioner or provider.
 - Sara Bencic responded that the DOI does not have that data unless a consumer has filed a complaint with the Division. She also said she is not aware of any complaints or issues raised so far this year.
- Chris Zivalich added that he would be curious about the data that Dr. Washington mentioned, but that there could also be the issue of consumers not knowing how to use their plan or not being able to find a doctor in-network. He also asked if the Division collects data on whether Advance Premium Tax Credit (APTC) and Cost-Sharing Reduction (CSR) data could be broken down by household income and/or if the Division collects race and ethnicity data of enrollees.
 - Sara Bencic said that the DOI could reach out to Connect for Health Colorado (C4) colleagues about getting a breakdown of APTC data by income.
 - Jessalyn Hampton from C4 responded that CSR are only available for people under 250% of the poverty level. APTC is more complicated and very generally means folks under 400% FPL, but there are scenarios where it can go above that, like if someone is over age 55 or in a rural area. For race and ethnicity data, it must be optional per the federal government, but C4 is trying to encourage people to fill it out. C4 gets about a 54% response rate for this data. There is some more concrete data on the Colorado Connect side.
 - Sara Bencic also said that there are instructions later in the presentation about finding carrier-supplied demographic data.
 - Adam Fox said it might be interesting to compare age group breakdowns in Colorado Option plans with other Connect for Health numbers in the general market.
 - Chris Zivalich said he agreed in the chat.

Colorado Option Premium Data

Sara Bencic presented an overview of the Plan Year 2024 Colorado Option premium data.



COLORADO

Department of
Regulatory Agencies

Division of Insurance

Advisory Board Discussion/Items for Follow-Up:

- Dr. Washington asked if the people who are enrolled in Colorado Option plans are getting the services they need in each county. He acknowledged that no one on the call may know that information, but that this would be an important data point to find out to determine if these plans are providing a good service.
 - Sara Bencic said that the Division would keep this in mind in the future, but that it is also important to note that this situation could be a factor with non-Colorado Option plans as well. Regulation 4-2-80 was also revised to have the carriers submit more information about network adequacy.
- Amanda Massey asked about narrow network requirements.
- Jennifer Fanning commented that for last plan year a lot of the networks were more narrow and that she sees it as more of a “game” on the provider side.
- Amanda Massey asked if the DOI knows which plans met the 10% premium rate reduction.
 - Sara Bencic said that she will follow up but that 82% is inclusive of the 25 plans that met the target.
- Amanda Massey asked if there is a lowest cost to lowest cost comparison of premiums rather than averages.
 - Sara Bencic said she can follow up.
- Chris Zivalich asked if the average calculation is based on APTC or gross premium.
 - Sara Bencic said she could get an answer.
- Jen Fanning asked how many counties in Colorado had just one insurance carrier for PY2024.
 - Sara Bencic said she will follow up.
- Dr. Washington asked if there are counties that have plans from one carrier in addition to CO Option plans and if that is dictating the average. He said that if one carrier is really expensive it could be skewing the data.
 - Sara Bencic said that she will follow up.

Colorado Option Demographic Data

Sara Bencic presented the process for finding carrier-provided patient and provider demographic data through the carrier’s Colorado Option plan SERFF filings and how SERFF can be accessed on the Division’s website.

Advisory Board Discussion/Items for Follow-Up:



COLORADO

Department of
Regulatory Agencies

Division of Insurance

- Amanda Massey said she wants to reiterate that because the data is voluntary, people should have realistic expectations about what it will look like from a carrier perspective.
- Chris Zivalich asked if the Division would have corresponding information on the rate of providers/patients within a carrier reporting the data and an interpretation of it.
 - Sara Bencic said she cannot recall the exact format of the template off the top of her head but that she believes carriers need to include how many providers there are and how many responded. In addition, within each demographic category, there should also be a number of providers and number of respondents so that the response ratio can be seen.

Due to a previously disclosed scheduling conflict, Dr. Washington left the meeting at 4:32 PM.

Connect for Health Colorado PY2023 Update

Presented by Daniel O'Neil and Jessalyn Hampton of Connect for Health Colorado (C4).

- 55% of those who enrolled in a Colorado Option plan enrolled through a Special Enrollment Period.
- New customers are enrolling in a Colorado Option plan at a higher rate than returning customers.
- Individuals who enrolled in a Colorado Option plan tend to stay covered almost one month longer (9.8 months) than individuals enrolled in on-Colorado Option plans (8.9 months).
- Colorado Option enrollees tend to be slightly younger.
- Customers that selected a Gold plan had the highest proportion of Colorado Option plans compared to all over metal tiers.
- Customers that selected a Colorado Option plan noted using more enrollment assistance resources than those selecting a non-Colorado Option plan.
 - This could potentially lead to them using more resources as they are more likely to be a new customer.
- 88% of customers that selected a Colorado Option plan indicated \$0 primary care visits is an important factor when enrolling into a Colorado Option plan.
- The Connect for Health Colorado Advisory Group discussed HB23-1224 and the creation of a Colorado Option filter in the shopping portal for PY24.
 - HB23-1224 language regarding Colorado Option filter
 - Brokers were concerned about plan display changes causing confusion, but they did show support for a CO Option plan filter and help drawer text



COLORADO

Department of
Regulatory Agencies

Division of Insurance

- Advocates thought it should be easier to shop and enroll in Colorado Option plans to reduce consumer burden. They also supported a CO Option filter and help drawer text.
- CAHP/Issuers thought that C4 should foster a competitive marketplace. They did support a CO Option filter and help drawer text, as long as the help drawer text is objective and does not pit CO Option plans against other plans, and all plans can be shopped for and seen.
- A CO Option Plan filter was implemented for PY2024, and C4 is still working on the help drawer text.
- Next steps
 - Analysis of customer survey data for PY2024
 - C4 will share product analytics about use of the CO Option filter
 - Stakeholder and customer research will continue to inform future changes

Advisory Board Discussion/Items for Follow-Up:

- Chris Zivalich asked a clarifying question about plan awareness.
 - Danny O'Neil responded that it asked if they remembered seeing anything about a specific type of plan.

Public Comment

- Daniela Gosselova from Granby, Colorado said she has a concern regarding the schedule of the Advisory Board meetings. She said that this is the time before public hearings where more information should be available. She said she believed the data that could be on hand by this time was not shown. She said the schedule should be changed if data is unavailable.

Agenda Items for Next Meeting/Requests for Follow-Ups

- The next board meeting is scheduled for Wednesday, April 24, 2024, 3:30 - 5:30 PM.
 - Premium Rate Reductions and Public Hearing Update

Advisory Board Discussion/Items for Follow-Up:

- Adam Fox said that the board will attempt to approve December meeting minutes at the next meeting if a quorum is present.

Adam Fox adjourned the meeting at 4:55 PM.